



# City of CHARLOTTE

## MEMORNADUM

TO: Mayor Lewis and City Council Members

FROM: Gregg Guetschow, City Manager

SUBJECT: Zoning Ordinance Amendment Regarding Central Business District

DATE: February 10, 2017

Your agenda includes the first reading of an ordinance amending the zoning ordinance provisions related to the Central Business District to permit multiple-family dwellings in new buildings in the CBD as a conditional use. This amendment is necessary to allow for The Edmond Senior Apartments project to move forward.

There are other zoning classifications in which multiple-family dwellings are permitted. The choice to include this use in the CBD was made to maximize the utilization of the site with a development compatible with the CBD. Specifically, the desire is to permit the construction of buildings at the property lines; that is, without setbacks as required in other multiple-family districts.

There are other changes that we are proposing to this section primarily to address what we would consider to be housekeeping issues. First among these is the elimination of the requirement that apartments in existing buildings must receive the approval of both the Planning Commission and the City Council. As you know, we have been encouraging the redevelopment of upper floors of downtown buildings for residential use. We believe it is burdensome to require such actions to receive these approvals if they otherwise comply with all the conditions established in the ordinance. If this amendment is approved, permission could be granted by the administrative staff.

The second housekeeping change is to remove references to pool and billiard halls as conditional uses. The ordinance contains no conditions that such uses should meet. Accordingly, the decision to grant a permit for such a use would be arbitrary. I suspect that this language reflects the fact that, in times past, pool and billiard halls were considered attractive nuisances that needed to be regulated. We do not believe this language serves any useful purpose today.